



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Moab Field Office  
82 East Dogwood  
Moab, Utah 84532

5/019/053  
3809  
(UT-062)  
UTU-78691

MAR 15 2001

Deloy Shumway  
Box 4  
Blanding, Utah 84511

Re: Notice to Conduct Mining Operations (UTU-78691), Travertine #8-#9 Mine

We received your notice to commence mining operations on lands administered by the Bureau of Land Management (BLM) Moab Field Office on November 17, 2000. The lands are included in the Travertine #8-#9 Mine located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 25, T22S, R16E, SLBM, Grand County, Utah. The notice is accepted as complete and a cultural clearance has been completed for the area included in the notice.

The mining operation involves maintenance of an existing road from where the road turns off the Ruby Ranch Road in section 34, T22S, R17E, as shown on the 7 $\frac{1}{2}$  minute Green River SE quadrangle map. Maintenance of the existing section of access road will not be considered new disturbance provided the maintenance does not include widening or realignment of the road. From the end of the existing access road a short section of new access road to the mine site would be constructed approximately 2,200 feet long and 9 feet wide, or about 0.46 acres of surface disturbance. A deposit of travertine would be mined for decorative stone in an area located on a small hill approximately 200 feet wide and 900 feet long, or about 4.13 acres of surface disturbance. Mining would be conducted with hydraulic hammers, rockcutters, band saws, rubber tire and track loaders. Small pickup trucks would be utilized for hauling. Total surface disturbance for the mining operation is estimated at 4.59 acres.

All activities associated with the mining operation will be conducted according to the following provisions to avoid unnecessary or undue degradation of public lands:

- 1) Activities and surface reclamation will be conducted in accordance with the standards found in the Federal regulations at 43 CFR 3809.1-3 and the Utah State Division of Oil, Gas and Mining rules at R647-1 through R647-5. Cultural and paleontological resources will be protected according to the regulations at 43 CFR 3809.2-2(e).
- 2) Surface disturbance associated with the mining operation will be confined to that stated above. If additional surface disturbance is necessary, a modification to the notice is required in accordance with the regulations at 43 CFR 3809.1-3.

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DIVISION OF  
OIL, GAS AND MINING

- 3) Areas disturbed by the mining operation will be reclaimed and reseeded with the following seed mix:

<u>Species</u>	<u>Lbs/Acre</u>
Curley grass	4
Sand dropseed	<u>4</u>
Total	8

If seed is applied by broadcasting, double the above rate. Reseeding shall be done in the fall of the year. Any stored vegetation shall then be spread over the reseeded areas in order to help prevent erosion.

You are advised that we are of the opinion that the subject decorative stone does not possess a unique property giving the deposit special and distinct value and, therefore, is a "common variety" mineral material not subject to location under the mining laws. You are further advised that if a final determination by the Department of Interior is made that this material is, in fact, "common variety", you could be responsible to the United States for the value of this material, damage to the land, and administrative costs of recovering such compensation. The BLM may examine the subject deposit to prepare a formal mineral report to determine if the material is "common variety" and therefore saleable or "uncommon variety" and therefore locatable. If it is determined that the mineral deposit is "common variety" a contest complaint will be issued.

We want you to know that the surface management regulations at 43 CFR 3809 have been revised. Enclosed is a copy of the final regulations which were effective on January 20, 2001. Some information about how these regulations affect your existing notice or plan of operation follows. The page numbers cited below refer to those in the enclosed regulations.

**Notices:** If our office accepted your notice before January 20, 2001, you may continue to operate under the notice until January 20, 2003 (please see item (a) in the table under 3809.300 at the bottom of page 70118). If you want to extend your notice for an additional two years, you must submit a written notice to the Moab Field Office on or before January 20, 2003. A financial guarantee is required if you extend your notice. If you decide not to extend your notice, you must reclaim the project area.

You may modify your notice but a modification which materially changes your operation will require that your operation be regulated under the enclosed regulations.

**Plan of Operations:** If our office approved your plan before January 20, 2001, you may continue to operate under the terms and conditions contained in our approval (see 3809.400 at the middle of page 70120). Your plan remains in effect as long as you are conducting operations, unless the BLM suspends or revokes your plan. If your current operation is bonded, we will review the bond amount in accordance with the enclosed final rule. If your operation is not bonded then a bond will be required no later than July 19, 2001.

You may apply to the BLM to modify your plan or we may require you to submit a modification. A modification which involves a new facility will require that the facility be regulated under the enclosed final regulations. Those facilities and areas not included in the modification may continue to operate under the terms of your existing plan of operations. A modification of an existing facility will not be regulated under the new regulations if you can demonstrate to the BLM's satisfaction that it is not practical to apply these rules for economic, environmental, safety, or technical reasons. You should contact the local BLM field office if you are planning to make any modification to your existing plan of operations.

Additional enforcement actions are included with the enclosed regulations for failure to comply (see pages 70129-70130). Notices of noncompliance issued before January 20, 2001 are not affected by the publication of these final regulations. Avenues for mining operators to appeal a BLM decision adverse to them appear on pages 70130 and 70131.

Please notify the Moab Field Office as surface reclamation is completed so a compliance inspection can be conducted. If you have any questions, please contact Brent Northrup in the Moab Field Office at (435) 259-6365.

Sincerely,



Assistant Field Manager  
Division of Resources

1 Enclosure:  
As stated

cc: Anthony A. Gallegos  
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Division of Oil, Gas and Mining  
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